

June 19, 1967

Captain W.F. Dyson,
Administrative Services Bureau,
Dallas Police Department

SUBJECT: CRIMINAL INTELLIGENCE(1)
SERGIO ARCACHA
W/M

Sir:

The following report regarding SUBJECT is submitted for your information.

Attached hereto is a copy of the Bill of Particulars in regard to the extradition of SUBJECT to New Orleans as presented to the Honorable John L. Hill, Secretary of State of Texas on May 22, 1967.

This Bill of Particulars were drawn up by the attorney's for SUBJECT, Mr. Emmett Colvin, Jr. and Mr. Frank P. Hernandez.

Included in this Bill of Particulars is a notarized statement made by SUBJECT; published reports questioning the assassination conspiracy investigation of Jim Garrison; results of polygraph tests given ALVIN R. BEAUBOUF regarding a bribery attempt and threats to do bodily harm to obtain his testimony in behalf of the Garrison conspiracy investigation and the results of a polygraph test given SUBJECT in regard to this same manner.

Respectfully submitted,

D.K. Rodgers

D.K. Rodgers, Detective,
Criminal Intelligence Section

6-20-675

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before decent citizens. Unfortunately, the Governor of Louisiana has no control of the affairs of his State and has announced publicly that he will not challenge Garrison because of Garrison's enemies are politically dead after becoming his enemies.

2. With this background, we approach the Affidavit which is the foundation of the Information and the Louisiana Governor's Warrant of Extradition. Again, we note that Garrison does not expose himself but has had a young assistant, James L. Alcock, frame the basis of this proceeding by executing the only Affidavit in support of the Information, which reflects the commission of a crime in Louisiana. As mirrored by Martindale-Hubbell Legal Directory (see, Exhibit B, Affidavit of Frank P. Hernandez, with attachments), it appears that Alcock was not an attorney in 1961 at the time of the occurrences alleged, that he had no knowledge of the facts alleged, and had no connection with the Office of the District Attorney for the Parish of Orleans. This is further corroborated by the conversation between Mr. Burton Klein, attorney of New Orleans, and the attorneys herein representing Mr. Smith, a tape recording of which will be offered in evidence. It is submitted that Alcock has no personal knowledge of the facts he has alleged in the Affidavit. Further, we note that he takes particular care to avoid stating the allegations are made on any personal knowledge on his part. Indeed, it appears, according to the Affidavit, that only Garrison and his investigator, Gurvich, had any knowledge pertaining to the subject; such knowledge being based upon an interview with one Novel. Again, Garrison is cautious enough not to personally make any such allegations under oath himself. The Affidavit upon which this request for extradition is based is, in fact, an instrument amounting to nothing more than an unfounded claim pertaining to a discussion between third parties not under oath. It is suggested that the instrument was purposely so designed and drafted to avoid legal responsibility for its birth. Despite the illegitimacy of its birth, it remains the sole foundation of the Information executed by the Affiant, Alcock.

3. In support of this Bill of Particulars, we submit the Affidavit, with attachments, of Mr. Smith (Exhibit C). As is reflected by the Affidavit of Smith, he has made every effort to cooperate with the personnel of Garrison's office, subject to the reasonable qualifications reflected in his Affidavit. Failing in his attempt to induce Smith into the State of Louisiana, Garrison and his staff proceeded on extradition. It is noted that, at any time, Garrison could have obtained the person of Mr. Smith as a witness under the "Uniform Act of Secure the Attendance of Witnesses from Without the State in Criminal Proceedings", Article 24.28, V.A.C.C.P. (the Uniform Act having been adopted in Louisiana in 1936, LSA-RS015:152.1 - 15:152.5). It is obvious,

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however, that such Act would not suit the purposes of Mr. Garrison, since under such Act the witness would be immune from the filing of criminal charges by Garrison in an effort to coerce the witness to testify favorably. Further, in order to comply with the Act, it would have been necessary for Garrison to obtain the certification of a Louisiana Judge as to the materiality of Smith as a witness, the number of days required for his appearance before the Grand Jury, inter alia. In other words, the freedom to exercise coercion bribery, and physical force is not encompassed in the Act and, thus, not compatible with Garrison's method of oppression. Having been unable to induce Smith into his lair in Louisiana, and refusing to proceed normally under the aforesaid Act to obtain witnesses, Garrison in this proceeding seized upon a charge of conspiracy entered into in the Parish of Orleans in Louisiana although the burglary, if any, was committed in Houma, Louisiana, Jefferson Parish. This is particularly significant in that by such criminal charge Garrison could fix venue in his jurisdiction.

4. While, as indicated above, this extradition represents merely a device to acquire the person of Smith in connection with an investigation into the assassination of President John F. Kennedy, the polygraph of Smith (Exhibit E) reflects no guilt or knowledge as to such event on the part of Smith. Further, a polygraph taken of Beauboeuf (Exhibit D) indicates the types of pressures to which Smith would be subjected to should the Governor of Texas grant this extradition.

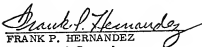
5. It is submitted that this extradition proceeding has been instigated by Jim Garrison and others for private ends and not for legitimate purposes. It is further noted that one of the agents nominated to receive Smith is one William Gurvich, who is not an agent or employee of the State of Louisiana in any respect, and is, in fact, employed by unknown private individuals pursuing a private investigation with private funds of the assassination of the former President of the United States.

In light of the above, it is strongly urged that extradition should be denied in that a granting thereof would endanger the life of Smith, now a resident of the State of Texas, and that the Governor of Louisiana's attention should be directed to the availability to the use of the "Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Proceedings", under which Smith may be more properly and legitimately questioned in connection with any matter pertaining to the investigation of the assassination, should a Louisiana Judge determine the materiality of his testimony, if it is material.

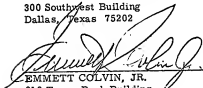
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Respectfully submitted,



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